



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

M

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,902	02/10/2004	Genevieve B. Kurz	END920030097US1	3049
23550	7590	04/27/2007	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC			CHAVIS, JOHN Q	
75 STATE STREET			ART UNIT	PAPER NUMBER
14TH FLOOR				
ALBANY, NY 12207			2193	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/776,902	KURZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	John Chavis	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 February 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-34 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-34 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 2/10/04.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. the claimed invention is directed to non-statutory subject matter. Claim 20 references a “development system”; however, nothing in the claim appear to represent actual components of a system. Each of the components appear to merely software (functional material); however, nothing in the claim appear to reference components of an apparatus (system). Therefore, the claim is considered non statutory. The dependent claims (21-27) do not appear to correct the problems associated with the parent claim and are therefore rejected for the same reason.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al. (2005/0071853).

We claim:

Jones

1. A model driven portlet development method, comprising:

See the title and the abstract

providing a set of portlet patterns;

See the second and third sentences of the abstract in which the template provides for the set of patterns.

encoding a portlet by binding values to at least one of the set of portlet patterns;

See the last two sentences of the abstract in which the builder provides for binding.

binding the portlet to a portal server catalog; and

See sects. 0005 and 0014.

creating an instance of the portlet using an instantiator portlet running on a portal server.

See sect. 0033 and claim 20.

2. The method of claim 1, further comprising selecting a presentation template, wherein the portlet is arranged according to the presentation portlet.

See the last step of Jones' claim 1.

3. The method of claim 1, wherein the set of portlet patterns comprise display from a file source, display from a federated data source, submit data and two way interaction.

See the last sentence of sect. 0002, and sect. 0029.

4. The method of claim 1, further comprising receiving values prior to the encoding step.

In utilizing an abstract portlet, as specified in fig. 3, it is considered Inherent that values are received prior to encoding to make the abstract portlets concrete (usable), see sect. 0032.

5. The method of claim 1, wherein the binding step comprises dynamically binding the portlet to the portal server catalog.

Sect. 0026 provides for dynamically exploiting individual model characteristics, and sect. 0029 provides of computing fields automatically (dynamically) and the selection of a hyperlink in sect. 0022 also provides for dynamically binding to the server.

6. The method of claim 1,  
wherein the binding step comprises  
deliberately binding the portlet to  
the portal server catalog.

See sects. 0018-0022.

7. The method of claim 1,  
wherein the portlet is encoded  
using common portlet markup  
language.

WPAI (see sect. 0028) is considered a  
common portal markup language.

8. The method of claim 1,  
wherein the values are populated  
into a table.

Jones provides for populating values,  
see sect. 0029; however, he does not  
Specify that they are populated into a  
table. However, it would have been  
obvious to a person having ordinary skill  
in the art at the time of the invention to  
populate items via a table to simplify  
updates and to provide for easy tracking  
of changes.

9. The method of claim 1,  
wherein underlying functions of  
the portlet are performed by the  
instantiator portlet.

See sects. 0032-0033.

10. The method of claim 1,  
further comprising designating a  
window state for the portlet.

See sects. 0024-0025.

In reference to claims 11, 19-20, and 28, see the rejection of claim 1 above.

Claims 12-13, 22-23, and 29-30 are rejected as claims 7-8.

For the teachings of claims 14-17, 24-26, and 31-33, see the rejection of claims  
3-6.

As per claim 18, 27, and 34 see the rejection of claim 10.

The features of claim 21 are taught via claim 2.

Art Unit: 2193

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 9:00am-5:30pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC



John Chavis  
Primary Examiner AU-2193